

**UNITED STATES DISTRICT COURT**  
**for**  
**EASTERN DISTRICT OF NORTH CAROLINA**  
**WESTERN DIVISION**

**U.S.A. vs. James Kermitt Hardy**

**Docket No. 5:08-CR-187-1BO**

**Petition for Action on Supervised Release**

COMES NOW Robert L. Thornton, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of James Kermitt Hardy, who, upon an earlier plea of guilty to Conspiracy to Distribute and Possess with Intent to Distribute More than 50 Grams of Cocaine Base (Crack), in violation of 21 U.S.C. § 846, was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on February 10, 2009, to the custody of the Bureau of Prisons for a term of 24 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 60 months under the standard conditions adopted by the court.

James Kermitt Hardy was released from custody on June 12, 2009, at which time the term of supervised release commenced. On October 28, 2009, the conditions of supervised release were modified to include mental health treatment.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR  
CAUSE AS FOLLOWS:**

The defendant reported to the probation office on November 3, 2011, and admitted to using marijuana during the term of supervision and most recently on October 31, 2011. It is therefore recommended that supervision conditions be modified to add drug treatment.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.

**James Kermitt Hardy**  
**Docket No. 5:08-CR-187-1BO**  
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**Page 2**

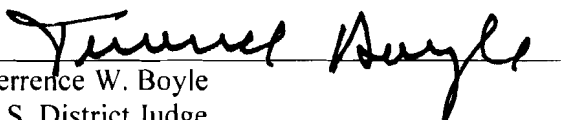
Except as herein modified, the judgment shall remain in full force and effect.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Robert L. Thornton  
Robert L. Thornton  
Supervising U.S. Probation Officer  
310 Dick Street  
Fayetteville, NC 28301-5730  
Phone: (910) 483-8613  
Executed On: November 8, 2011

**ORDER OF COURT**

Considered and ordered this 9 day of November, 2011, and ordered filed and made a part of the records in the above case.

  
Terrence W. Boyle  
U.S. District Judge